



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Senat for its Opinion on the proposals for a Regulation of the European Parliament and of the Council establishing a European Centre for the Development of Vocational Training (Cedefop) and repealing Regulation (EEC) no 337/75 {COM(2016) 532 final}; a Regulation of the European Parliament and of the Council establishing the European Foundation for the improvement of living and working conditions (Eurofound), and repealing Council Regulation (EEC) No 1365/75 {COM(2016) 531 final}; and a Regulation of the European Parliament and of the Council establishing the European Agency for Safety and Health at Work (EU-OSHA), and repealing Council Regulation (EC) 2062/94 {COM(2016) 528 final}.

The Common Approach on EU decentralised agencies agreed in July 2012 by the European Parliament, the Council and the Commission defines a framework for the functioning of Agencies with a particular focus on coherence, effectiveness, accountability and transparency. In the Joint Statement accompanying the Common Approach, the three institutions agreed to take the Common Approach into account in the context of all future decisions concerning EU decentralised agencies, following a case-by-case analysis.

With the above three proposals, the Commission seeks to address the divergences between the current Regulations establishing Cedefop, Eurofound and the European Agency for Safety and Health at Work and the provisions of the Common Approach on EU decentralised agencies. In the case of Cedefop, the proposal also suggests an update of the Centre's mandate and tasks to reflect the evolution of its activities and policy developments in the field of vocational education and training, skills and qualifications as well as societal, institutional and economic developments in the EU that have occurred since it was set up in 1975.

The Commission welcomes the Senat's broad support for the aims of the proposals and takes note of the specific concerns and suggestions on Cedefop as expressed in the Opinion. These specific observations are addressed in the attached annex.

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Discussions between the Commission and the co-legislators concerning the proposals are now underway and the Commission remains hopeful that agreements will be reached in the near future.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Marianne Thyssen
Member of the Commission*

ANNEX

The Commission has carefully considered the issues raised by the Senat in its Opinion and is pleased to provide the following clarifications as regards the proposal for a Regulation establishing Cedefop.

On Article 1 of the proposal:

*The Commission's proposal builds on the current Regulation which stipulates that "the aim of the Centre shall be to assist the Commission in encouraging, at Community level, the promotion and development of vocational training and of in-service training". The current Regulation also provides that within the framework of the guidelines laid down by the Community, the Centre shall **contribute to the implementation** of a common vocational training policy. This is fully in line with the legal basis (Article 166 of the Treaty on the Functioning of the European Union) which calls on the Union to implement a vocational training policy.*

*The Commission would also like to emphasise that, in comparison with the current Regulation, the proposal strengthens the references to the tripartite nature of Cedefop by adding a second sentence to Article 2 (2) of the Regulation, which refers specifically to the support provided to national actors, governments and social partners. That sentence provides: "To this end the Agency shall provide evidence and services for policy making and knowledge sharing amongst and between Union and **national actors, in particular governments and social partners**".*

On Article 2 of the proposal:

The proposal seeks to update the provisions on Cedefop's objectives and tasks to reflect the developments within the Centre and the context in which it has been operating since the initial Regulation entered into force in 1975. The proposal defines these tasks in a generic manner to allow for long term relevance of the text notwithstanding future developments in policy and the institutional context. The Regulation is not meant to establish all the details of the specific tools to be developed by Cedefop. Consequently, the 'clearing House Best Practices Database' is not referred to in the text, as it is covered by a general reference to knowledge exchange under Article 2. Such specific references can however be reflected in the programming documents of the Centre agreed upon by its Management Board (current set up) or the Executive Board (as detailed in the proposal).

On Articles 3 to 11, Title II of the proposal:

The Commission would like to recall that the proposal aims to address the divergences between the current Regulation establishing Cedefop and the provisions of the Common Approach on Decentralised Agencies. The division of tasks between the Management Board, the Executive Board and the Executive Director has been developed in line with the Common Approach. In accordance with the Joint Statement on the Common Approach, the European

Parliament, the Council and the Commission have committed to taking this approach into account in all future decisions regarding decentralised agencies.